



Los Gatos

Monte Sereno

POLICE DEPARTMENT

SPECIAL EVENT PERMIT APPLICATION

Instructions and Check List

In order to process your request as quickly as possible, please review the entire Special Event Permit Application package before submitting your application.

Check (✓) any of the following that will be a part of your event:

- ☐ More than 100 people will be in attendance.
- ☐ Food will be served. (May require a Health Department Permit (408) 299-6060)
- ☐ Food will be cooked on site. (May require a Health Department Permit)
- ☐ Propane gas will be used. (May require a Fire Dept Permit (408) 378-4010)
- ☐ Alcohol will be served or sold. (See Coordinator for a letter of approval.)
- ☐ A tent or canopy will be used. (May require a Fire Department Permit)
- ☐ Live music or a voice amplifier will be used. (Requires a sound Permit)
- ☐ You will hang a banner or sign in the Town of Los Gatos. (Requires a sign permit)
- ☐ A street or parking lot will need to be closed (even temporarily).
- ☐ The event is sponsored by a "Non-Profit Organization."

After completing this application and check list, contact the Special Events Coordinator, Sergeant Layne Davis, at (408) 354-6851. Thank you.

TOWN OF LOS GATOS SPECIAL EVENTS CHECKLIST

WHAT YOU HAVE TO DO:

- Complete the **Special Events Application** and sign the **General Instructions sheet**. Include the **application fee** with your completed application. For your information, review the attached copy of the **Town Code** defining Special Events.
- Pay the **estimated costs** for personnel and/or equipment prior to receiving your permit. The Event Coordinator will provide you with those estimated costs.
- If your sponsoring organization is **non-profit**, provide documentation of that with your completed Special Event Application.
- Sign the **Hold Harmless Agreement**.
- Review the **Town Insurance Requirements** and sample form. Take your proof of insurance to the Town Clerk's Office at 110 E. Main Street. After review they will send a copy to the Special Event Coordinator.
- If you are posting a **portable sign or banner** advertising your event, you will need to obtain a sign permit, through the Community Development Department (file a copy with the Event Coordinator)
- If you are using an **amplified sound system** for either voice or music, a permit is required as part of your initial Event fee. The Event Coordinator can provide you with that form.
- If your event is **cooking and selling food**, you will need to contact the Santa Clara County Health Department for a permit.
- If you are planning to use a **tent or canopy or cook with propane fuel**, you will need to contact the Santa Clara County Central Fire Department for an inspection. The Event Coordinator can provide you with information.
- If your event is using **Vasona Park, Oak Meadow Park, the Creek Trail, or public school grounds**, you will have to request permission from those entities. A copy of all written permission letters will have to be forwarded, by you, to the Event Coordinator.
- If you plan to serve alcohol, a one-day alcohol permit may be required. The Event Coordinator can provide you with necessary information.

WHAT THE TOWN DOES:

- The Special Event Coordinator will assist you by providing forms, and will answer questions. Return all completed forms to the Event Coordinator.
- The Police Department may issue a Special Event Permit after all requirements are met.

GENERAL INSTRUCTIONS

1. Applications must be completed and returned to the Los Gatos Police Department Special Events Sergeant, 110 East Main Street, P. O. Box 973, Los Gatos, CA 95031, no later than 60 days prior to the event.
2. Upon return of the application, a non-refundable administrative fee set by Town Council resolution shall be charged for each Special Event Permit.
3. An approved Special Event Permit is required for all groups and must be in the possession of the applicant or representative at the event.
4. Applicant shall pay all costs associated with the event.
5. The applicant/sponsor must obtain public liability insurance to protect against loss from liability imposed by law for damages on account of bodily injury and property damage arising from the event. The insurance shall name on the policy, as additional insured, the Town of Los Gatos, its officers, employees and agents. Insurance coverage with a minimum combined single limit in an amount established by the Town's Risk Manager which must be maintained for the duration of the event and the insurance company must provide the Town with thirty (30) days' written notice of cancellation of the policy. Coverage provisions, including limits, shall otherwise be in accordance with Town policy or as set by resolution of the Town Council. A copy of the policy must be filed with the Town Clerk no less than twenty (20) days before the date of the event.
6. The Chief of Police has the right at any time to revoke permission for an event and no rebates or refunds of fees will be made because of such termination.
7. All outside vendors must be associated with and sanctioned by the Special Event and obtain a Town of Los Gatos Business License through the Clerk's Office no later than seven (7) days prior to the event.
8. No advance promotional activities for a Special Event shall be commenced before obtaining a Special Event Permit.
9. If alcoholic beverages are to be served, the applicant must obtain a One-Day Liquor License through the Chief of Police before receiving a permit through ABC.

I hereby certify the foregoing statements to be true and correct, and agree to indemnify and hold harmless the Town of Los Gatos, its Town Council, officers, agent, and employees from and against any and all loss, damages, liability, claims, suits, costs and expenses, whatsoever, including attorney's fees regardless of the merit or outcome of any such claim or suit arising from or in any manner connected to the requested activity. I also agree, if approved, to comply with all permit conditions, and understand that failure to comply with any condition, or any violation of law may result in the immediate cancellation of the event, denial of future events and/or criminal prosecution.

Date: _____

Printed Name: _____

Signature: _____

NON-PROFIT

Any organization applying for a business license and claiming non-profit (exempt) status, must submit:

1. A current 501 (c) 3.
2. A current Franchise Tax Board Exemption.
3. A current Annual Report.
4. A current IRS Tax filing.
5. A list of solicitors.

Section 14.10.030(b)

The provisions of this chapter shall not be deemed or construed to require the payment of a license tax to conduct, manage or carry on any business, occupation or activity from any institution or organization which is conducted, managed, or carried on wholly for the benefit of charitable purposes or from which profit is not derived either directly or indirectly, by any person. . . .

TOWN OF LOS GATOS SPECIAL EVENT APPLICATION

Date of Application:

Title of Event:

Sponsoring Organization:

Phone Number:

Address:

Fax Number:

Applicant:

DOB

Home Phone:

Address:

Work Phone:

Fax Number:

Alternate:

DOB

Home Phone:

Address:

Work Phone:

Fax Number:

Nature of Event:

Location of Event:

Dates of Event:

Total Days:

Times of Event:

Set up and prepare

From:

To:

Actual Event

From:

To:

Clean-up and Closure

From:

To:

Number of:

Participants:

Vehicles:

Volunteers:

Will there be a fee for: Admission: Yes ___ No ___ \$ _____ Per Person

Participants: Yes ___ No ___ \$ _____ Per Vendor

Business License Obtained: Yes ___ No ___

Other: \$ _____ Please state: _____

Will Sound Amplification be Used? Yes ___ No ___ Kind:

Will Alcoholic Beverages be Served? Yes ___ No ___ Kind:

Will Food be Served? Yes ___ No ___ (Requires permit from the County Health Department)

Event plan, route or map attached with application? Yes ___ No ___

In order to help promote the special events in our community, the Town will list your event in our "Special Events Calendar", which is made available to the public. **Please list a name and phone number for the public to contact for additional event information:**

Additional Comments:

LOS GATOS / MONTE SERENO POLICE DEPARTMENT
SOUND AMPLIFICATION PERMIT APPLICATION
ORDINANCE SECTION 16.20.040

ORGANIZATION: _____ **PH #** _____
ADDRESS: _____

APPLICANT: _____ **PH #** _____
ADDRESS: _____

DATE and TIME amplification is to be used: _____
LOCATION OF EVENT: _____

TYPE OF AMPLIFICATION _____
(list type of music, name of band or sound system)

Name of person (s) responsible for monitoring amplification equipment to assure compliance with the Los Gatos Town Ordinance Number 16.20.040.

NAME: _____ **DOB:** _____
ADDRESS: _____ **PH #** _____

Maximum number of people attending the event: _____

NOTE:

1. The operation of sound amplifying equipment, including outdoor paging systems, for commercial purposes shall be limited to the hours of 8:00a.m. to 7:00p.m. weekdays; 9:00a.m. to 6:00p.m., Saturdays and 10:00a.m. to 4:00p.m. on Sundays and Holidays, with no time limitation as to noncommercial sound applications other than as may be required in paragraph (2).
2. In all events, the volume for sound and the hours of operation shall be so controlled that the sound will not be unreasonably loud, raucous, jarring disturbing or a nuisance as defined by the Town Code.
3. Sound amplifying equipment shall not be operated within two hundred (200) feet of a church, school or hospital while any of these facilities are in operation.

APPLICANTS SIGNATURE: _____ **DATE.** _____

PERMIT

DATE: _____ **APPROVED:** _____ **DENIED:** _____
HOURS: _____ **LOCATION:** _____
CONDITIONS OF APPROVAL: _____

CHIEF OF POLICE: _____
SCOTT R. SEAMAN

APPLICATION FOR BANNER PERMIT

TOWN OF LOS GATOS - COMMUNITY DEVELOPMENT DEPT.

Civic Center: 110 E. Main Street, Los Gatos, CA 95032

Phone: (408) 354-6874 FAX: (408) 354-7593

Mailing Address: P.O. Box 949, Los Gatos CA 95031

Banner Permit: \$ 59.28

Please Type or Print Clearly

Applicants are advised to review Chapter 29.10.120 of the Zoning Ordinance prior to filing an application for sign permit

1. Building Address _____ Zone _____
2. Present Use of Building: _____
3. Street Name(s): _____
4. Business Frontage(length): _____
5. Text of Banner: _____
6. Banner Size: (length) _____ (width) _____ (Total sq. ft) _____
7. Sign Materials: _____
8. Date banner will be put up? _____ Date banner will be removed? _____
9. On reverse side (or on separate 8½ X 11 sheet) prepare a sketch of the banner(s) showing dimensions, copy, and colors. ¹
10. _____
Name of Applicant Address, City, State, Zip Phone Number
11. _____
Name of Property Owner Address, City, State, Zip Phone Number
- Applicants' Signature _____ Date: _____
- Property Owner's Signature _____ Date: _____

(FOR DEPARTMENT AUTHORIZATION)

Banner(s) permitted by section 29.10.120(4) of the Zoning Ordinance.

Approval granted: Yes _____ No _____

Planning Division Authorization

Date

Receipt No.

Sign Permit No.

DO NOT WRITE BELOW THIS LINE

PLANSIGN 2

\$ 52.00

PTRACPLAN

\$2.08

PLANAP

\$ 5.20

TOTAL

\$ 59.28

**TOWN OF LOS GATOS
HOLD HARMLESS AGREEMENT**

_____ agrees to **HOLD HARMLESS** and release from liability
(Name or Organization)

the **TOWN OF LOS GATOS**, its **OFFICERS**, **AGENTS**, and **EMPLOYEES** from any and all claims arising out of, or related to:

DESCRIPTION of EVENT or ACTIVITY:

and agrees to indemnify the **TOWN OF LOS GATOS**, its **OFFICERS**, **AGENTS**, and **EMPLOYEES** for any and all damages, claims, causes of action, losses, liability, judgments, costs, costs of collection, and attorney's fees arising out of or related to the above description.

**I HAVE READ THIS HOLD HARMLESS AGREEMENT
and
UNDERSTAND ITS TERMS.**

DATE

PRINT NAME

SIGNATURE

If you are signing this agreement for an **ORGANIZATION** that **YOU** represent, **PLEASE SIGN THE FOLLOWING STATEMENT:**

I AM LEGALLY AUTHORIZED TO MAKE THIS AGREEMENT FOR

NAME of ORGANIZATION

SIGNATURE

TITLE



TOWN OF LOS GATOS
110 East Main Street
Post Office Box 949
Los Gatos, CA 95031
408 / 354-6834
Fax 408 / 354-8431

CONTACT:
JACKIE ROSE
M-F 8-12

INSURANCE REQUIREMENTS

CERTIFICATE OF LIABILITY INSURANCE

CERTIFICATE HOLDER

Town of Los Gatos, Town Clerk, 110 East Main Street, Post Office Box 949, Los Gatos, CA 95031

DESCRIPTION OF OPERATIONS

Town of Los Gatos, its officers, officials, employees and volunteers are named additional insured under this policy as per attached endorsement as respects all operations of the insured

CANCELLATION CLAUSE

Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will mail 30 days written notice to the certificate holder named to the left

ENDORSEMENT

SEPARATE ENDORSEMENT (FORM CG 20-26-11)

Must include: policy number, date, insured, agency and code

NAME OF PERSON OR ORGANIZATION

It is hereby agreed that the Town of Los Gatos, its officers, officials, employees and volunteers are named additional insured under this policy

ALL OTHER TERMS AND CONDITIONS OF THIS POLICY REMAIN UNCHANGED

The insurance coverage extended under this endorsement is **PRIMARY** and will not seek contribution from any other insurance available to the organization or persons shown in the schedule. The Town of Los Gatos will not be responsible for providing insurance for indemnification or defense of the contractor / developer as part of this project / contract.

Any variation or exclusion will not conform to Town requirements and will be rejected.
Attached are samples of acceptable language/forms

ACCORD

CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

COMPANY LETTER A

COMPANY LETTER B

COMPANY LETTER C

COMPANY LETTER D

COMPANY LETTER E

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTN	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR <input type="checkbox"/> OWNERS & CONTRACTOR'S PROT. <input type="checkbox"/>					GENERAL AGGREGATE \$ 1,000,000
					PRODUCTS-COMP/OP AGG. \$ 1,000,000
					PERSONAL & ADV. INJURY \$ 1,000,000
					EACH OCCURRENCE \$ 1,000,000
					FIRE DAMAGE (Any one fire) \$ 50,000
					MED. EXPENSE (Any one person) \$ 5,000
AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> GARAGE LIABILITY <input type="checkbox"/>					COMBINED SINGLE LIMIT \$
					BODILY INJURY (Per person) \$
					BODILY INJURY (Per accident) \$
					PROPERTY DAMAGE \$
					EACH OCCURRENCE \$
EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM <input type="checkbox"/>					AGGREGATE \$
					STATUTORY LIMITS
					EACH ACCIDENT \$
WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/>					DISEASE-POLICY LIMIT \$
					DISEASE-EACH EMPLOYEE \$
OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

Town of Los Gatos, its officers, officials, employees and volunteers are named additional insured under this policy as per attached endorsement as respects all operations of insured.

CERTIFICATE HOLDER

Town of Los Gatos
 Town Clerk
 110 E. Main Street
 Post Office Box 949
 Los Gatos, CA 95031

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT.

AUTHORIZED REPRESENTATIVE

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED—DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART.

SCHEDULE

Name of Person or Organization:

It is hereby agreed that the Town of Los Gatos, its officers, officials, employees and volunteers are named additional insured under this policy.

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED (Section II) is amended to include as an insured the person or organization shown in the Schedule as an insured but only with respect to liability arising out of your operations or premises owned by or rented to you.

The insurance coverage extended under this endorsement is PRIMARY and will not seek contribution from any other insurance available to the organization or persons shown in the schedule. The Town of Los Gatos will not be responsible for providing insurance for indemnification or defense of the contractor/developer as part of this project/contract.

Policy Number: _____

Date: _____

Insured: _____

Agency: _____ Code: _____

Copyright, Insurance Services Office, Inc., 1984

CG 20 26 11 85

ARTICLE X.

SPECIAL EVENTS*

* **Cross References:** Offenses against public peace, § 18.50.010 et seq.

Sec. 14.100.010. Purpose and intent.

The Town of Los Gatos recognizes the social, cultural and economic enrichment that special events bring to the Town. These events enhance the Town's lifestyle and provide benefits to the citizens. Special events sponsored by nonprofit organizations to raise funds for charitable purposes provide a community benefit which warrants a reduction in fees for public services to the greatest extent possible. It is incumbent upon the Town to establish policies and procedures which allow for the advance planning and management of Town personnel and financial resources. It is the intent of the Town to protect the rights of its citizens by establishing the least restrictive and most reasonable manner of regulation to maximize the benefits and minimize the burdens of special events. This article is intended to be interpreted in a manner compatible with the Constitutions and laws of the State of California and the United States.
(Ord. No. 1904, § I, 6-1-92)

Sec. 14.100.015. Definitions.

- (a) *Advance promotional activity.* Posting, display, or distribution of signs, banners, leaflets, mailing and publications promoting a future special event.
- (b) *Applicant.* A person or organization who seeks a permit to conduct a special event governed by this article.
- (c) *Chief of Police.* The Chief of Police or the Chief's authorized designee.
- (d) *Commercial special event.* A special event, sponsored by either nonprofit or for profit organizations, the primary purpose of which is to attract groups of people and generate commerce, income or product exchange.
- (e) *Noncommercial special event.* A special event, the primary purpose of which is exercise of the participants' constitutional rights of free speech or assembly.
- (f) *Permittee.* Any applicant to whom a special events permit is issued.
- (g) *Special event.* Any event, not to exceed three (3) consecutive days, which is scheduled to take place on or contiguous to a Town street, sidewalk, alley or other right-of-way or on Town property including its parks and the grounds of its buildings, which in the judgment of the Chief of Police is likely either:
 - (1) To obstruct, delay or interfere with the normal flow of pedestrian or vehicular traffic; or
 - (2) To attract participants or spectators who are not likely to comply with traffic laws or controls; or
 - (3) To generate a crowd of sufficient size likely to obstruct, delay or interfere with the normal flow of pedestrian or vehicular traffic, or to restrict access to parks, recreation areas or other public areas; or

- (4) To require police regulation, monitoring, or control to maintain public safety.

Examples of special events include, but are not limited to: athletic events such as runs, walkathons, bicycle races, etc., parades, street fairs, festivals, carnivals, car rallies, farmers markets, block parties, sidewalk sales, outdoor music concerts, and gatherings of merchants, craftsmen, artists or other sellers of goods for the primary purpose of display and sale to the public of arts, crafts or goods.

- (h) *Sponsor.* Any person who or organization which intends to conduct a special event.
(Ord. No. 1904, § I, 6-1-92)

Sec. 14.100.020. Permit.

- (a) *Required:* Any person intending to conduct or sponsor a special event in the Town of Los Gatos shall obtain a special events permit. No advance promotional activities for a special event shall be commenced before obtaining a special event permit.

- (b) *Maximum number of events per year:* No permit shall be issued for any zoning plot for a special event to the same organization, group, or person more frequently than one (1) time per calendar quarter. A minimum of thirty (30) days shall separate special events on any zoning plot. This section shall not limit participation in a permitted areawide or regional special event, such as sidewalk sales, parades, or other events approved by the Town Council.

- (c) *Exceptions:* A special events permit is not required for the following events:

- (1) Funeral processions.
- (2) Activities conducted by a governmental agency acting within the scope of its authority.
- (3) A special event which in the estimation of the Chief of Police will involve less than one hundred (100) persons and for which the sponsor submits written guarantees to the Chief of Police that:
 - (A) Participants will assemble or march only on sidewalks;
 - (B) Participants will cross streets only at crosswalks in units of fifteen (15) or less, allowing vehicles to pass between each unit; and
 - (C) Participants will obey all traffic controls and regulations.

- (d) *Farmers market.* Notwithstanding the limitations of this section, any person intending to conduct or sponsor a regularly scheduled farmers market may apply for a single special events permit for a period not to exceed twelve (12) months.

(Ord. No. 1904, § I, 6-1-92; Ord. No. 1907, § I, 7-20-92; Ord. No. 1999, § I, 4-17-95)

Sec. 14.100.025. Application for special events permit.

- (a) *Time for filing.* Application for a permit shall be filed with the Chief of Police no later than thirty-six (36) hours before a noncommercial special event and no later than sixty (60) calendar days and no sooner than one (1) year before a commercial special event.

(b) *Form for application.* Application must be submitted on the Town's official special event permit application form provided by the Los Gatos Police Department which shall include:

- (1) The name, address, home and business telephone number of the applicant and an alternative person who may be contacted if the applicant is unavailable. The applicant must be at least eighteen (18) years of age.
- (2) If the event is to be sponsored by an organization, the name, address and telephone number of the organization and contact/representative of the organization. If requested by the Chief of Police, written authorization to apply for the permit by an officer of the organization may also be required.
- (3) The name, address and telephone number of the person who will be present in charge of the event on the day of the event.
- (4) The nature and purpose of the event.
- (5) The date and estimated starting and ending time of the event.
- (6) Location of the event, including its boundaries.
- (7) Verification that the special event is consistent with applicable land use regulations for zone and or use permit.
- (8) Estimated number of participants in the event.
- (9) The type and estimated number of vehicles or structures which will be used at the event and information as to whether there will be sponsor-provided water or emergency aid stations at the event.
- (10) Description of any sound amplification equipment which will be used at the event for which a sound amplification permit is required by Los Gatos Town Code Section 16.20.040.
- (11) Description, size and location of signs, banner, streamers, inflatable advertising devices regulated by Division 3 of Article I of Chapter 29 of this Code.
- (12) Description of any advance promotion for the event, including but not limited to signs, banners, leaflets, mailings, and publications.
- (13) Whether any food or beverages, including alcoholic beverages, will be sold or served at the event.
- (14) Whether vendors other than the sponsor will be selling at the event.
- (15) Whether monitors will be employed by the sponsor at the event.
- (16) Anticipated parking needed for participants, including parking for handicapped persons.
- (17) Security and/or police needs created by the event.

- (18) If application is for a special event which includes a march on Town streets, the application shall contain the following information:
- (A) The assembly point for the event and the time the participants and vehicles will begin to assemble.
 - (B) The proposed route to be traveled.
 - (C) Whether the event will occupy all or only a portion of the streets proposed to be traversed.
 - (D) The intervals of space to be maintained between vehicles or other units participating in the event.
 - (E) The number, type and size of vehicles or other units participating in the event.
 - (F) Material and maximum size of any signs or banners to be carried along the route.
- (19) Any request to close streets or sidewalks as authorized by Vehicle Code Section 21101(e).
- (20) Any supplemental information deemed necessary by the Chief of Police to determine whether the application should be granted, conditioned or denied.

(c) *Application fee.* A nonrefundable administrative fee set by Council resolution shall be charged for each application, except that any fee for a permit for a noncommercial special event shall be waived upon a showing to the satisfaction of the Chief of Police or the Town Council on appeal, that the fee is so burdensome to the sponsor and/or the applicant that it is likely to interfere with the exercise of constitutional rights of speech or assembly.
(Ord. No. 1904, § I, 6-1-92)

Sec. 14.100.030. Action on application.

(a) *Consultation.* The Chief of Police shall consult with all Town departments which may be affected by the proposed special event.

(b) *Time for action.* Within thirty (30) days of submittal of a complete application for a commercial special event permit, and within one (1) working day of submittal of a complete application for a noncommercial special event, the Chief of Police shall approve, conditionally approve or deny the application. The times for action may be extended by mutual consent of the applicant and the Chief of Police. The Chief of Police, if possible, shall expedite action on an application for a noncommercial special event when it is apparent that the purpose of the demonstration would be frustrated if not conducted at a certain date and time.

(c) *Written statement of grounds for conditional approval or denial and right of appeal.* The Chief of Police shall inform the applicant in writing of the grounds for denial or the conditions of approval and the right of appeal. The Chief of Police shall also inform the applicant of any information about the event which was not contained in the application on which the decision was based.
(Ord. No. 1904, § I, 6-1-92)

Sec. 14.100.035. Conditional approval.

A special events permit may be conditioned on reasonable requirements concerning the time, place, and manner of

the event, including but not limited to conditions to protect the safety of persons and property, and to provide for adequate traffic control. Such conditions may include, but are not limited to the following:

- (a) Alteration of the date, time, route or location.
- (b) Designation of areas for assembly and disbanding for events such as parades, races or other processions.
- (c) Limitation on use of streets and sidewalks and requirements to allow intermittent traffic flow through any area.
- (d) Provision of first aid or emergency facilities.
- (e) Hiring a qualified person to facilitate the event itself, if the event appears to be so large and complex that public interests require monitoring and/or direction.
- (f) Placement and pickup of litter cans, recycling bins, public toilets, barricades, and traffic cones.
- (g) Street sweeping.
- (h) Restrictions on amplified sound as defined by Town Code Section 16.20.040.
- (i) Requirement that all vendors demonstrate compliance with requirements for permits for vendors and pushcarts (section 14.70.130), and business licenses (section 14.10.010).
- (j) Agreement of owners or tenants of dwellings or businesses along the affected street area to be used by a commercial special event.
- (k) Restrictions or prohibition of the sale, possession, and consumption of alcoholic beverages.
- (l) Size, location and number of signs are regulated pursuant to section 29.10.120.
- (m) Permission to post signs on public property consistent with the standards of section 29.10.120(4).
- (n) Requirement for security personnel.
- (o) Provision of shuttle services to mitigate anticipated parking and traffic impacts.
- (p) Posting parking control signs along public streets before commencement of the event.
- (q) Payments of fees required by Town Code Chapter 14 and other fees as required by Council resolution.
- (r) Restrictions required by other agencies.
- (s) Compliance with other applicable ordinances, laws, or permit requirements.

(Ord. No. 1904, § I, 6-1-92; Ord. No. 1907, § II, 7-20-92; Ord. No. 1980, § IIA, 5-23-94; Ord. No. 2026, § XVII, 2-18-97)

Sec. 14.100.040. Denial.

- (a) *Grounds for denial.* Applications for special events permits may be denied for any of the following reasons:
- (1) Information contained in the application or supplemental information requested from the applicant is found to be materially false or misleading.
 - (2) The application was incomplete or supplemental information or documents were not provided in a timely manner.
 - (3) A permit for another special event at a time and place that would conflict with the proposed event, or cause undue traffic congestion, or create excessive demands for police or other Town services has already been approved.
 - (4) The time, route, or size of the event is likely to substantially interrupt the safe and orderly movement of traffic contiguous to the event site or route, or to disrupt the use of a street at a time when it is usually subject to significant traffic congestion.
 - (5) The concentration of persons, animals and vehicles at the site or assembly and disbanding area is reasonably likely to prevent proper police, fire or ambulance services to areas contiguous to the event.
 - (6) The size of the event is likely to unreasonably compromise normal police protection to the rest of the Town.
 - (7) The location of the event is likely to substantially interfere with construction or maintenance work previously scheduled to take place upon or along Town streets, or to interfere with a previously granted encroachment permit.
 - (8) The special event is likely to occur at a time when a school is in session, at a route or location adjacent to a school, and the noise created by the activities of the event would substantially disrupt the educational activities of the school.
 - (9) The special event will occur on a route or location adjacent to a hospital or extended care facility and the noise created by the event would substantially disrupt the operation of the hospital or extended care facility or disturb the patients within.
 - (10) The special event has a prior history of creating conditions that jeopardize the peace and safety of the citizenry.
 - (11) The applicant has previously violated special event permit conditions.

(b) *Limitation on denial of noncommercial special event permits.* In determining whether or not a noncommercial special event permit should be denied, the Chief of Police shall resolve all doubts in favor of approval or conditional approval. If the grounds for denial are specified in (a)(3) through (9) of this section, the Chief of Police may alter the date, time, place, duration, route, or location of the noncommercial special event and conditionally approve the application instead of denying it. The conditions imposed shall modify the proposed event only to the extent necessary to avoid the grounds for denial.

(Ord. No. 1904, § 1, 6-1-92)

Sec. 14.100.045. Fees for Town related services.

(a) *Payments.* Prior to issuance of the special event permit, the applicant shall pay an amount reasonably calculated to cover all town costs including but not limited to:

- (1) Salary costs for Police and other Town personnel who facilitate or monitor the event.
- (2) Costs for use of Town equipment such as barricades, cones, etc.
- (3) A cleanup deposit for costs associated with permitted sale of food and beverages, erection of structures, participation of horses or other large animals, or use of refreshment or aid stations in an amount to be determined by the Chief of Police or the Director of Parks, Forestry, and Maintenance.
 - (A) The cleanup deposit shall be refunded after the special event if the affected area has been cleaned and restored to the same condition as existed prior to the special event.
 - (B) If the area used for the special event is not cleaned and restored to its pre-event condition, the Town will employ its personnel to restore the area to that condition. If the Town's actual cleanup cost is less than the applicant's cleanup deposit, the applicant will be refunded the difference. Should the Town's cleanup cost exceed the amount of the cleanup deposit, the difference shall be due and payable to the Town by the applicant upon the applicant's receipt of the Town's invoice for the difference.
 - (C) If the applicant or sponsor disputes the cleanup charge, he or she may appeal to either the Chief of Police or Director of Parks, Forestry and Maintenance within five (5) days after receipt of the bill. The decision of the Chief of Police or Director of Parks, Forestry and Maintenance shall be final.

(b) *Exception.* Special events sponsored by Town Council appointed boards and commission and any other event sponsored by a nonprofit which the Town Council determines will generate substantial public benefit shall be exempt from payment of fees imposed by this section.

(Ord. No. 1904, § I, 6-1-92)

Sec. 14.100.050. Permit issuance.

The special event permit shall be issued when: the application has been approved; the applicant has agreed in writing to comply with the terms and conditions of the permit; and all other applicable requirements of this chapter have been satisfied.

(Ord. No. 1904, § I, 6-1-92)

Sec. 14.100.055. Indemnification agreement.

Prior to the issuance of a special event permit, the applicant or an authorized officer of the sponsor must sign an agreement to reimburse the Town of Los Gatos for any costs incurred in repairing damage to Town property occurring in connection with the permitted event and proximately caused by the actions of the permittee, the sponsor, its officers, employees, or agents, or any person under the permittee's or sponsor's control insofar as permitted by law. The agreement shall also provide that the permittee or sponsor shall defend the Town against, and indemnify and hold the Town harmless from, any liability to or claims of liability by, any persons resulting from any alleged damage or injury occurring in connection

with the special event proximately caused by the actions of the permittee or sponsor, its officers, employees, or agents, or any person who was under the permittees or sponsor's control insofar as permitted by law. For purposes of this section, a person who merely participates in the special event is not considered, by reason of that act alone, to be "under the control" of the permittee or sponsoring organization.

(Ord. No. 1904, § I, 6-1-92)

Sec. 14.100.060. Insurance.

(a) *Liability insurance.* The applicant or sponsor of a commercial special event must possess or obtain public liability insurance to protect against loss from liability imposed by law for damages on account of bodily injury and property damage arising from the event. The insurance shall name on the policy, or by endorsement, as additional insureds, the Town of Los Gatos, its officers, employees and agents. Insurance coverage with a minimum combined single limit in an amount established by the Town's Risk Manager which must be maintained for the duration of the event and the insurance company must provide the Town with thirty (30) days' written notice of cancellation of the policy. Coverage provisions, including limits, shall otherwise be in accordance with Town policy or as set by resolution of the Town Council of the Town of Los Gatos.

(b) *Certificate of insurance.* A copy of the policy or a certificate of insurance along with all necessary endorsements must be filed with the Town Clerk no less than twenty (20) days before the date of the event. The commercial event permit shall not be issued by the Chief of Police until after the insurance policy or certificate of insurance along with necessary endorsements have been filed by the applicant or sponsor and approved by the Town Attorney.

(c) *Waiver.*

(1) *Conditions justifying waiver:* The Town Manager may determine that an indemnification agreement as provided for in section 14.100.055 or some other form of waiver is satisfactory and that liability insurance is not necessary or that a smaller amount of liability insurance shall be required if all of the following are demonstrated to the Town Manager's satisfaction:

- (A) The permit applicant cannot afford the insurance premium or cannot afford the premium for the amount of insurance ordinarily required;
- (B) That none of the commercial event participants or sponsors will realize monetary profits as a result of their participation in the commercial event by way of sale of goods or merchandise; and
- (C) That the commercial event does not pose an unusual or peculiar risk or harm or injury to participants or spectators.

(2) *Limitation on waiver:* Under no circumstances will the insurance requirement be waived or modified when the commercial event in question is an athletic event, carnival, car rally, soap box derby or music concert.

(3) *Extension of time for compliance:* The Town Manager may, for good cause, waive the filing deadline for proof of insurance; however, proof must be provided prior to the issuance of the commercial event permit.

(Ord. No. 1904, § I, 6-1-92)

Sec. 14.100.065. Revocation of permit before special event.

(a) *Reasons.* The Chief of Police may revoke a permit at any time if:

- (1) An emergency arises making it impossible to assign sufficient or appropriate personnel to the event to protect public safety; or
- (2) Information is obtained after the permit is issued from which it may be reasonably concluded that the permit should have been denied under section 14.100.040.

(b) *Notice of revocation.* The applicant shall be informed in writing of the grounds for any such revocation.

(c) *Appeal of permit revocation.* The applicant may appeal a revocation in the manner provided for in section 14.100.075 in all cases except where the revocation is based on emergency and there is insufficient time available to present or schedule an appeal.

(Ord. No. 1904, § I, 6-1-92)

Sec. 14.100.070. Revocation of permit during special event.

A police officer may revoke the permit during a special event for either of the following reasons:

(a) The officer finds either:

- (1) That the event has deviated from or will deviate from its approved route or area; or
- (2) Event participants are violating the law or permit conditions.
- (3) The participants have been advised of and given an opportunity to control such deviation or violation and refused or failed to do so.

(b) If fire or another emergency requires the event to be terminated to protect public safety. When a permit is revoked for this reason, all event participants must immediately comply with the officer's instructions.

(Ord. No. 1904, § I, 6-1-92)

Sec. 14.100.075. Appeal process.

(a) *Normal appeal.* Any applicant aggrieved by the denial or conditional approval of a special event permit may appeal the decision to the Town Council by filing a notice of appeal with the Town Clerk within ten (10) days of the delivery of the decision. The Town Clerk shall set the date and time for the public hearing within forty-five (45) days of the filing date and shall give notice to such person of the time and place of hearing as prescribed by law.

(b) *Expedited appeal for noncommercial special event.* If there is insufficient time for a timely appeal of denial or conditional approval of a noncommercial special events permit to be heard by the Town Council prior to the date on which a noncommercial special event is scheduled, the applicant may request that the Town Clerk schedule the appeal before the Town Manager. The Town Manager shall hold hearing no later than twelve (12) hours prior to the time the event is scheduled to commence and will render a decision as soon as practicable and in no case later than the time the event is scheduled to commence. The Town Manager's decision shall be final.

(Ord. No. 1904, § I, 6-1-92)

Sec. 14.100.080. Posting of special event permit.

The special event permits and any other required Town licenses and permits shall be maintained at the site during the special event and exhibited upon request of any Town police officer if it is determined that the event is in violation of the special event permit conditions or if an emergency requires termination of the special event to protect public safety. Notices of revocation shall be in writing with the reasons for revocation specifically set forth, unless time does not permit, in which case the notification shall be verbal and followed, at a later date, by written notice explanation.
(Ord. No. 1904, § I, 6-1-92)

Sec. 14.100.085. Violations.

- (a) It shall be unlawful for any persons to sponsor or conduct a special event without a special event permit.
- (b) It shall be unlawful for any person to participate in a special event with the knowledge a special event permit has not been issued.
- (c) It shall be unlawful for a permittee or sponsor to willfully violate the terms and conditions of a special event permit, or for any special event participant to knowingly and willfully violate the terms or conditions of the special event permit.
- (d) It shall be unlawful for any person to hamper, interfere with, obstruct or impede any special event which has been permitted under this ordinance or to park or leave a vehicle unattended in violation of parking control signs posted in connection with a special event.
- (e) It shall be unlawful for any person to drive a vehicle, bicycle or other moving object or propellant, between the persons or vehicles comprising any permitted special event, unless such activity is undertaken at the direction of a Town peace officer, an authorized security person, or event monitor.
- (f) It shall be a misdemeanor for any special event participant to fail or refuse to comply with a revocation order made pursuant to section 14.100.070.
(Ord. No. 1904, § I, 6-1-92; Ord. No. 2026, § XVIII, 2-18-97)